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An Act for dividing and inclosing the Common-Fields, common or waste Ground, and other commonable Places in the Parish of *Hinton*, otherwise *Hinton-Walrish*, in the County of *Berks*.

Preamble.

WHEREAS there are, in the Parish of *Hinton*, otherwise *Hinton-Walrish*, in the County of *Berks*, certain large open and common Fields, heretofore called the Field, *Longworth*, *Middle-Field*, and *Little-Burrow-Field*, but of late and now commonly called *Hinton* Common-Fields, containing together, by Computation, Sixty Yard Lands, or thereabouts; and there are also in the same Parish several large Tracts of common or waste Ground commonly called the *Comb*, *Bleafons Flats*, *Horse-Leaze*, *Millham*, *Northam*, *Callow-Mead*, *Eash-Mead*, and *Broad-Mead*, containing together, by Estimation, Six Hundred and Twenty Acres or thereabouts.

And whereas the Reverend *John Loder* of *Hinton* aforesaid, Clerk, is seized in Fee of the Manor of *Hinton*, otherwise *Hinton-Walrish*, in the County of *Berks*, and of all the Messuages, Lands, Tenements, waste Grounds, and Hereditaments lying within the same Manor, and in the said Parish, except Four Messuages in the Hamlet of *Duxford* and *Kolsun* in the same Parish, and four Yard Lands with the Appurtenances, whereof Sir *Robert Throckmorton* of *Buckland* in the said County of *Berks*, Baronet, is seized in Fee, and some of the Lands whereof the said *John Loder* and Sir *Robert Throckmorton* are so seized, are inclosed, and the Residues thereof lie open and are uninclosed, and the said *John Loder* is also seized in Fee of the Advowson, Patronage, or Right of Presentation of and to the Rectory of the Parish and Parish-Church of *Hinton* aforesaid, and is now Rector of the said Parish, and as such is intitled to certain Glebe Lands and Com-

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rooms thereto belonging, lying therein, and in the ſaid Common-Fields, and to all the great and ſmall Tithes ariſing in the ſaid Parith, which Tithes are together of the yearly Value of One Hundred and Fifty Pounds, and upwards.

And whereas divers of the Lands whereof the ſaid *John Loder* is ſeized as aforeſaid are now held by ſeveral Perſons by virtue of, and under ſeveral Leaſes for one or more Life or Lives, or for Terms of Years determinable on the Determinations of one or more Life or Lives, and by virtue of and under ſeveral Grants by Copies of Court Roll of the ſaid Manor, for one or more Life or Lives, and the ſaid four Yard Lands and Premiſes whereof the ſaid Sir *Robert Throckmorton* is ſo as aforeſaid ſeized, are now alſo held by ſeveral Perſons by virtue of and under ſeveral Leaſes for one or more Life or Lives, or for Terms of Years determinable on the Determinations of one or more Life or Lives.

And whereas the ſaid *John Loder* in his own Right, and as Rector of the ſaid Parith, and the ſaid Sir *Robert Throckmorton*, and their ſaid reſpective Leaſehold and Copyhold Tenants, being all the Proprietors of Land of and in the ſaid Parith, have a right of Common, or depaſturing their Cattle, excluſive of all other Perſons in and upon the ſaid Common Fields, at certain Seaſons of the Year, and in or upon the ſaid Common or waſte Grounds and other commonable Places, at all Times in the Year as to the ſeveral Portions of Land to which they are reſpectively intitled, and lying in the ſaid Common-Fields, lie diſperſedly therein, and intermixed together in ſeveral ſmall Quantities, and at great Diſtances from their reſpective Farms or Dwellings, ſo as that the ſame cannot be improved or conveniently manured, and the ſame and the ſaid Common or waſte Grounds and commonable Places are not now of near ſo much Profit or Advantage to the ſaid ſeveral Proprietors as they would be were they divided and held in ſeverality.

And whereas, as well for the remedying the Inconveniencies aforeſaid, as for ſettling a certain Portion or certain Portions of the ſaid Lands, Common or waſte Grounds, and commonable Places upon, and to, and for the Rector of the ſaid Parith, and his Succeſſors for ever, in lieu of and for the ſaid great and ſmall Tithes, it hath been, and is agreed by, and between the ſaid *John Loder*, in his own Right, and as Rector of the ſaid Parith, and the ſaid Sir *Robert Throckmorton*, and their ſaid reſpective Tenants, that all the Lands lying in the ſaid Common-Fields, common or waſte Grounds and commonable Places, ſhall be divided amongſt them the ſaid Rector and other Proprietors, according and in Proportion to the ſeveral Portions of Glebe and other Lands to which they are reſpectively intitled, lying in the ſaid Common-Fields and the Qualities thereof, and according to the yearly Value of the ſaid great and ſmall Tithes, and according and in Proportion to the ſeveral Commons and Rights of Common which they the ſaid Rector and Proprietors reſpectively have in the ſaid Fields, and in the ſaid common or waſte Grounds and commonable Places, as well in reſpect of the ſaid Glebe Lands as in reſpect of their

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said other Lands lying in the said Parish, and that the said Lands, Common and waste Grounds, and commonable Places, when they shall be so divided, shall be inclosed and held in severalty by them respectively, and that all their Rights of Common in and upon the said Common Fields, Common or waste Grounds, and commonable Places, shall be extinguished. But forasmuch as the Matters aforesaid cannot be accomplished without the Aid and Authority of Parliament,

May it therefore please Your MAJESTY, That it may be Enacted; and be it Enacted by the KING's Most Excellent MAJESTY, by and with the Advice and Consent of the Lords Spiritual and Temporal, and Commons, in this present Parliament assembled, and by the Authority of the same, That *Philip Weston* of *Fyfield* in the County of *Berks*, Clerk, *Avery Tyrrell* of *Stanford* in the County of *Berks*, Gentleman, *Robert Hall* of *Buckland* in the said County of *Berks*, Gentleman, *Robert Jenner* of *Mayst-Hampton* in the County of *Gloucester*, Yeoman, and *William Stephens* of *Kencot* in the County of *Oxford*, Gentleman, and such other Persons as by virtue of this Act shall be for that Purpose named, appointed, and chosen, shall be, and are hereby appointed Commissioners for the dividing, assigning, and appointing amongst and to and for the said Rector, and other the Proprietors of Lands and Hereditaments lying in the Parish of *Hinton*, otherwise *Hinton-Waldrist*, in the County of *Berks*, all and every the Lands lying in the said Common Fields, and in the said Common or Waste Grounds and Commonable Places in the said Parish, and all the Baulks, Meers, Hades and Waste Grounds lying therein in such Manner and by and agreeable to such Rules and Orders as are in and by this Act for those Purposes mentioned and prescribed.

Commissioners.

Commissioners to make Allotments.

And in Order for the more exact and equal dividing, assigning, and appointing the several Lands, Common, and Waste Grounds, and Commonable Places by this Act intended to be divided, assigned, and appointed,

Be it further Enacted by the Authority aforesaid, That before the Survey to be made.
by the First Day of *June*, which shall be in the Year of our Lord One Thousand Seven Hundred and Sixty-One, a true and perfect Survey and Admeasurement of all the said Lands, Common and Waste Grounds, and commonable Places shall be made and taken by some Person or Persons to be for that purpose appointed or approved of by the said Commissioners, or any Three or more of them, and that the Person or Persons by whom such Survey and Admeasurement shall be so made and taken, shall in the making and taking thereof set down, or cause to be set down, in Writing a full true, and exact Account of the Numbers of Acres, Roods, and Perches, Statute Measure, of all the Lands lying in the said Common Fields, to the said Rector, and other the said Proprietors, and every of them respectively

respectively belonging, and of the Situations and Qualities thereof, and which of them are held by Leases, and which of them by Copies of Court Roll of the said Manor, and a full true and exact Account of the Numbers of Acres, Roods, and Perches, Statute Measure, of all the said Common and Waste Grounds and Commonable Places, and that such Survey and Admeasurement, when the same shall be so made and taken, shall be laid before the said Commissioners for the Purposes of this Act.

In case of Differences Witnesses to be examined on Oath.

And be it further Enacted by the Authority aforesaid, That if any Doubt or Doubts, Dispute or Disputes shall arise between the said Rector and Proprietors, or any of them, concerning the Qualities, Quantities, Limits, or Boundaries of their Lands lying in the said Common Fields, or concerning their respective Commons, or rights of Common therein, or in the said Common and Waste Grounds, or Commonable Places, the said Commissioners, or any Three or more of them, may, and are hereby authorized and required by or on the Oath or Oaths of one or more Witness or Witnesses, or by or on the Affirmation or Affirmations of one or more of the Persons called *Quakers* (and which Oaths or Affirmations the said Commissioners, or any Two or more of them, are hereby impowered to administer) to inquire into, hear, and determine such Doubt or Doubts, Dispute or Disputes, and that such their Determinations shall be finally binding and conclusive to all Persons whomsoever.

Commissioners to make Allotments.

And be it further Enacted by the Authority aforesaid, That after the Survey and Admeasurement of the said Lands, Common and Waste Grounds, and Commonable Places shall be so made and taken and laid before the said Commissioners as aforesaid, and before or by the First Day of *June*, which shall be in the Year of our Lord One Thousand Seven Hundred and Sixty-two, or as soon afterwards as conveniently may be, they the said Commissioners, or any Three or more of them, shall, and are hereby authorised and required to make a just, true, and exact Division, Allotment and Appointment of all the Lands lying in the said Common Fields, and of all the said Common and Waste Grounds and Commonable Places by this Act intended to be divided, allotted and appointed, and of all the Baulks, Meers, Hades, and other Commonable Places lying therein, and in the said Parish (other than and except such Lands as are already inclosed, and except such Parts of the said Lands as by virtue of this Act shall be allotted for a public Quarry or Quarries, and for public or private Roads or Ways) amongst and to and for the said Rector and all other the Proprietors of Messuages, Lands, Tenements or Hereditaments lying in the said Parish, in the manner and according to the Proportions herein after mentioned, (that is to say) to and for the said Rector, according and in proportion to the Quantity of the said unincloted Glebe Lands to which he is intitled, and the Commons thereto belonging, and to the Quantities and Values of such Glebe Lands, and of the Lands that shall be allotted or appointed to or for him in lieu or respect of such Glebe Lands, and the Commons thereto belonging, and

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according and in proportion to the aforesaid yearly Value of the said great and small Tithes belonging, in the same Proportion as with regard to Quantity, Quality, and Value, the Lands to be assigned or appointed to or for the said other Proprietors, shall be to them respectively assigned or appointed in lieu of and for their Lands, and the Quantities, Qualities and Values thereof, and the Common thereto respectively belonging, according and in proportion to the several Portions and Quantities of Land lying in the said Common Fields to which they respectively are intitled, and the Qualities and Values thereof, and of the said Lands that shall be to or for them respectively Assigned or Appointed, and according and in proportion to the several Commons and Rights of Common which they respectively have, or are, or shall be intitled to in or upon the said Common and Waste Grounds, and Commonable Places, as well in right of their Lands and Hereditaments lying in the said Parish that are now inclosed, as in right of their Lands lying in the said Common Fields and that are uninclosed, and that the Lands that shall be assigned or appointed to or for the said Rector, in lieu of and for the said great and small Tithes, shall have and bear the same Proportion in point of Quantity and Value to the aforesaid yearly Value of the same Tithes as the Lands to be assigned or appointed to or for the said other Proprietors shall have and bear to the Lands and Commons to them respectively belonging, and in lieu and respect of which such Assignments and Appointments shall be to them respectively made.

Quarries to be let out for general use.

Roads to be let out.

Commissioners not to make any undue Preference.

Provided always, and be it further Enacted by the Authority aforesaid, That this Act or any Thing therein contained, shall not extend or be construed to extend to authorize or impower the Commissioners, or any of them, to give any undue Preference to the said Rector or other the Proprietors of Lands, Tenements or Hereditaments in the said Parish, or any of them, in making the Division, Assignments or Appointments of the Lands, Common and Waste Grounds and commonable Places, by this Act intended to be made, but that the said Commissioners shall and are hereby required in such their Division, Assignments and Appointments, to have and bear a just and due regard, as well to the Situations, Qualities and Values, as to the Quantities of the Lands, that shall be by them assigned or appointed, and also to the aforesaid yearly Value of the said great and small Tithes, and to the Quantities and Values as well as the Quantities of the Lands lying in the said Common Fields, in respect whereof such Assignments and Appointments shall be made, and shall assign and appoint the several Portions of the said Lands, Common and Waste Grounds and commonable Places to and for the said Rector and other Proprietors respectively, lying as near together, and to their respective Farm-houses and Dwellings, and as commodious for their respective Occupations as conveniently may be.

How Allotments shall be fenced and ditched.

And be it further Enacted by the Authority aforesaid, That the said Commissioners, or any Three or more of them, in the Division of the Lands, Common or Waste Ground and commonable Places by this Act intended

intended to be divided, shall and are hereby authorized and required to assign and appoint one or more of the Quarries lying in the said common Fields, or some or one of them, together with a proper and sufficient Portion or Portions of Land, lying about or adjoining to the same, provided that the Portion of Land to be annexed to either of the said Quarries do not exceed the Quantity of Three Acres, to be and remain for ever as a common Quarry or as common Quarries for the Rector of the said Parish for the Time being, and his Successors for ever, and for all other the Owners and Occupiers of Lands, Tenements and Hereditaments lying in the said Parish, there and from thence to dig, take and carry away Stones for all their public and private Uses within the same Parish, and not elsewhere.

Quarries to be set out for general uses.

And be it further Enacted by the Authority aforesaid, That the said Commissioners, or any Three or more of them, in the Divisions of the Lands, Common or Waste Grounds and commonable Places by this Act intended to be divided, shall and are hereby authorized and required to assign and appoint such Parts or Tracts thereof, as shall be proper and sufficient to be used as public and private Roads, and Ways for Horses, Carts and Carriages, and for Foot Ways, through and over the same, and to and from the Quarry or Quarries, that by virtue of this Act shall be assigned or appointed for a Common Quarry or for Common Quarries, and the Situation, Breadths, Extents and Dimensions thereof, so as that the Assizes or Breadths of such public Roads or Ways be not less than Fifty Feet, and that the Assizes and Breadths of such private Roads or Ways for Horses, Carts and Carriages be not less than Thirty Feet between the Ditches, Mounds and Fences lying or to lye on each of the Sides thereof, and that the said Commissioners, or any Three or more of them, shall and are hereby authorized and required in the Division of the said Lands, Common or Waste Grounds and commonable Places, to assign and appoint how many and what Drains and Water-courses shall be made in through or about the same, and where the same shall be made, and the Assizes, Breadths, Depths, Extents and Directions thereof.

Roads to be set out.

And be it further Enacted by the Authority aforesaid, That the several Portions of the Lands, Common or Waste Grounds and commonable Places by this Act intended to be divided, that shall in such Division be assigned or appointed to or for the said Rector, and other the Proprietors of Land of and in the said Parish, and that shall be assigned or appointed for the said common Quarry or common Quarries, shall by and at the Costs and Charges of them the said Rector and Proprietors and others, who hereafter shall be intitled to the same Portions of Land respectively, be inclosed by and with such Quicksets and other Hedges, Ditches, Mounds and Fences to be set and made in such Places, and at and by such Times and in such Parts, Shares and Portions, and that the said Drains and Water-courses shall be by them made in such Places and at and by such Times and in such Parts, Shares and Portions, and that the same

How Allotments shall be fenced and ditched.

same and the said Quicksets and other Hedges, Ditches, Mounds and Fences shall be from time to time by them repaired, secured, cleansed, kept and preserved in such Parts, Shares and Portions, and in such manner as the said Commissioners, or any Three or more of them, shall by their Award in Writing under their Hands and Seals, direct or appoint:

Provided always, and be it further Enacted by the Authority aforesaid, that such Parts of the said Quicksets, Hedges, Ditches, Mounds, Fences, Drains and Water-courses as shall by the said Commissioners, or any Three or more of them, be so as aforesaid directed or appointed to be set or made, as for or in respect of the several Portions of the said Lands, Common or Waste Grounds and commonable Places, that shall be assigned or appointed to or for the said Lease-hold Tenants of the said Sir *Robert Throckmorton*, shall be set and made by or at the Costs and Charges of the said Sir *Robert Throckmorton*, his Heirs and Assigns, or by or at the Costs and Charges of the Person or Persons to whom the Free-hold of the same Portions of Land shall from Time to Time appertain or belong, and shall from Time to Time be repaired, secured, cleansed, kept and preserved, by, or at the Costs and Charges of the said Sir *Robert Throckmorton*, his Heirs or Assigns, or such other Person or Persons to whom the Free-hold of the same Portions of Land shall from Time to Time appertain or belong for and during the Term of Two Years next after the setting and making of the said Hedges, Ditches, Mounds, Fences, Drains and Water-courses, and from and after the Expiration of that Term, shall be repaired, secured, cleansed, kept and preserved by, or at the Costs and Charges of them the said Lease-hold Tenants, and others claiming the same Portions of Land by and under their respective Leases, for and during their respective Estates and Interests therein, in such Parts, Shares, and Portions, and in such manner as the said Commissioners, or any Three or more of them, shall in and by their said Award direct or appoint.

For exchanging of Lands.

And whereas Many of the Lands lying in the Parish of *Hinton*, otherwise *Hinton-Waltrish* aforesaid, that are now inclosed, do lie at distances remote from the several Farm-houses and Dwellings to which they respectively belong, and near to other Farm-houses and Dwellings of and in the said Parish: Be it therefore further Enacted by the Authority aforesaid, That the said Commissioners, or any Three or more of them, may and are hereby authorised and impowered by and with the Consent of the respective Owners of such respective inclosed Lands, to order Exchanges of the same Lands to be made by and between the said respective Owners thereof; and in Cases of Difference or in Equality as to Quantity, Value or Tenure, to order such Sum or Sums of Money to be paid by any or either of such Owners to the other or others of them in order to render such Exchanges equal, and to order such Deeds and Conveyances to be made and executed by and between the Parties mutually, between whom such Exchanges shall be made of the Lands by them exchanged, as they the said Commissioners, or any Three or more of them, shall by and with the like

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Consent as aforesaid think fit and convenient, and that such Exchanges, Deeds and Conveyances shall be good, valid and effectual to all Intents and Purposes.

For making Award.

And be it further Enacted by the Authority aforesaid, That within the Space of Six Calendar Months next after the Lands, Common or Waste Grounds and commonable Places by this Act intended to be divided, shall by virtue thereof be so divided, set out, assigned and appointed as aforesaid, and after the making of such Exchanges of the said inclosed Lands as by virtue of this Act shall be made, or as soon afterwards as conveniently may be, the said Commissioners, or any Three or more of them, shall and are hereby authorised and required to make their Award in Writing of and concerning the several Matters to be by them done by virtue of this Act, to be fairly ingrossed on Parchment, and to be by them signed and sealed, and therein to express, set down, and ascertain the numbers of Acres, Roods and Perches, Statute Measure of the Portion or Portions of the said Lands, Common or Waste Grounds and commonable Places that shall be by them assigned or appointed to or for the Rector of the said Parish, in lieu of the said Glebe Lands and Tithes, and the Commons to the said Glebe Lands belonging, and the Situations, Abuttals and Boundaries thereof, and the numbers of Acres, Roods and Perches, Statute Measure of the several Portions of the said Lands, Common or Waste Grounds and commonable Places that shall be by them assigned or appointed to or for the said *John Loder* and Sir *Robert Heathcote*, and their said several Lease-hold and Copy-hold Tenants, and to and for each and every of them respectively in lieu of their said respective Lands and the Commons thereto respectively belonging, and the Situations, Abuttals and Boundaries thereof, and of every of them, and shall therein also ascertain, set down and ascertain the Quarry or Quarries that shall be by them assigned or appointed to be used as a Common Quarry, or as Common Quarries, and the Lands that shall be by them assigned or appointed to be used therewith, and the Quantities and Boundaries thereof, and the several Parcels or Tracts of the said Lands, Common or Waste Grounds and commonable Places that shall be by them assigned or appointed to be used as public and private Roads and Ways, and for Passages, and the Situations, Widths, Breadths, Extents and Directions thereof, and of every of them, and what Drains and Water-courses shall be made in, through or about the several Portions of the said Lands, Common or Waste Grounds and commonable Places, and where the same shall be made, and the Breadths, Depths, Extents, and Directions thereof, and of every of them, and how and by what Quickets and other Hedges, Ditches, Gates, Rails, Mounds and Fences, the several Portions of the said Lands, Common or Waste Grounds, and commonable Places, and the said Quarry or Quarries and the Lands to be used therewith, shall be inclosed, and where, and at and by what Time and Times such Quickets, Hedges, Ditches, Gates, Rails, Mounds and Fences, shall be set and made, and what Parts, Shares and Portions thereof, and of the said Drains and Water-courses shall be set

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and made, and shall be repaired, scoured, cleansed, kept and preserved by the said Rector and his Successors, and by the said *John Loder*, his Heirs, and Assigns, and by his said Lease-hold and Copy-hold Tenants, and every of them severally and respectively, and what Parts, Shares and Portions thereof, and of the said Drains and Water-courses shall be set and made by the said Sir *Robert Throckmorton*, his Heirs and Assigns, and shall be by him and them repaired, scoured, cleansed, kept and preserved for the aforesaid Term of Ten Years, as for and in respect of the several Portions of the said Lands, Common or Waste Grounds and commonable Places, that shall be to his said Lease-hold Tenants, assigned or appointed, and what Parts, Shares and Portions thereof shall be repaired, scoured, cleansed, kept and preserved by them the said Lease-hold Tenants of the said Sir *Robert Throckmorton*, and every of them severally and respectively after the Expiration of that Term, and how and by whom and at whose Expences the said Quarry or Quarries, and the Ground to be died therewith shall be fenced, and by whom such Fences shall from Time to Time for ever be repaired and kept in Repair, and shall therein also express, set down and ascertain the Particulars and Parcels of the old inclosed Lands, that by virtue of this Act shall be exchanged, or be ordered to be exchanged, and the Names of the Persons by or between whom such Exchanges shall be made or be ordered to be made, and what Parcels of Land shall be to be had by each and every of them upon and in such Exchanges, and what Sum or Sums of Money (if any) shall be to be paid to make such Exchanges equal, and when, where, and by, and to whom such Sum and Sums of Money shall be paid, and what Deeds and Conveyances shall be by them respectively executed of the Lands that shall be so exchanged, or be ordered to be exchanged, and shall therein make and set down such Orders, Rules and Directions for making the said intended Inclosures, and for setting, making, repairing, scouring, cleansing and preserving the Hedges, Ditches, Mounds, Fences, Drains and Water-courses, and for the laying out and making the public and private Roads and Ways, and for doing all other Things by virtue of this Act to be done, as they the said Commissioners, or any Three or more of them, shall think proper and expedient.

And inrolling the same.

And be it further Enacted by the Authority aforesaid, That there shall be two Parts of the said Award, and both fairly ingrossed on Parchment, and signed and sealed by the said Commissioners, or any Three or more of them, and that one of them shall be kept in the common Parish Chest of the Parish of *Hinton*, otherwise *Hinton-Waldrist* aforesaid, or in such other Place where the public Writings of the said Parish are usually kept for the common Use of all Persons interested therein, and that the other of them shall within the Space of Three Months next after the signing and sealing thereof by the said Commissioners, be inrolled with the Clerk of the Peace of the County of *Berks*, and that all Persons interested therein, and in the Inclosures and Exchanges of Land that shall be made by virtue of this Act, shall be at Liberty at all proper and reasonable

Times to inſpect, read, and peruſe the ſame, they, and every of them, paying One Shillings to the Clerk of the Peace for every Time of ſuch Reading, Inſpection, or Peruſal, and that the ſaid Clerk of the Peace ſhall and is hereby required to make and give a true Copy or true Copies thereof, with his Name thereto ſubſcribed by his own Hand, to all and every of the ſaid Perſons who ſhall apply for or deſire the ſame, they reſpectively paying to the ſaid Clerk of the Peace for ſuch Copies after the Rate of Six-pence for every Sheet which ſhall contain Seventy-two Words, and that ſuch Copies ſo made and ſigned ſhall be admitted and allowed as Evidence in all Courts whatſoever.

After Award made, Right of Common to ceaſe, and Allotments to be accepted.

And be it further Enacted by the Authority aforeſaid, That from and after the ſigning and ſealing of the aforeſaid Award by the ſaid Commiſſioners, or any Three or more of them, all the Eſtate, Right, Title, Intereſt and Claim of the ſaid Rector, and his Succeſſors forever, of, to, in, and upon the aforeſaid Glebe Lands, and great and ſmall Tithes, and all the Eſtates, Rights, Titles, Intereſts, and Claims of the ſaid Rector and other the Proprietors of, to, in, and upon the ſaid Lands, Common or waſte Grounds, and commonable Places by this Act intended to be divided and incloſed, and all their reſpective Commons, and Rights of Common, upon or in the ſame, and all other Commons, and Rights of Common, and Tithes whatſoever in the ſaid Pariſh, ſhall ceaſe, determine, and be for ever extinguiſhed, and that then and from thenceforth, the Portion or Portions of the ſaid Lands, Common or waſte Ground, and commonable Places that ſhall by the ſaid Commiſſioners, or any Three or more of them, by virtue of this Act, be aſſigned or appointed to or for the ſaid Rector in lieu of the ſaid Glebe Lands and Tithes, and the Commons thereto belonging, ſhall be and are hereby veſted in the ſaid *John Loder*, as Rector of the ſaid Pariſh for the Time being, and his Succeſſors, Rectors of the ſame Pariſh forever, and which he and they ſhall and are hereby required forever to accept and take in lieu and full Satisfaction of and for all the ſaid Glebe Lands, and all the great and ſmall Tithes lying and ariſing in the ſaid Pariſh and the Commons thereto reſpectively belonging, and then and from thenceforth the ſeveral Portions of the ſaid Lands, Common or waſte Grounds, and commonable Places that ſhall by the ſaid Commiſſioners, or any Three or more of them, by virtue of this Act, be aſſigned or appointed to, or for all other the ſaid Proprietors ſeverally and reſpectively, ſhall be and are hereby veſted in them the ſaid Proprietors ſeverally and reſpectively for ſuch Eſtates and Intereſts for which they were reſpectively ſeized of or intitled unto, in their ſaid other Lands and Commons, in reſpect of which the ſaid Portions of the ſaid Lands, Common or Waſte Grounds, and commonable Places, were to or for them reſpectively aſſigned or appointed, and which ſaid laſt mentioned Portions of the ſaid Lands, Common or Waſte Grounds, and commonable Places, they are hereby reſpectively required to accept and take in lieu and full Satisfaction of, and for their ſaid other Lands reſpectively, and the Commons thereto reſpectively belonging, and that then and from thenceforth the ſeveral Tracts or Portions,

rions of the said Lands, Common or Waste Grounds, and commonable Places that shall be assigned or appointed to be used as public or private Roads or Ways, and for Foot-ways, shall be forever afterwards used as and for such public and private Roads and Ways, and for Foot-ways, and that then and from thenceforth, and from and after such new Roads and Ways as aforesaid shall be made, no other public or private Roads or Ways or Footways shall be used in, through, or over any Part or Parts of the said Lands, Common or Waste Grounds, or commonable Places, and then, and from thenceforth, the Quarry or Quarries that shall be assigned or appointed to be used as a common Quarry, or as common Quarries, and the Lands that shall be assigned to be used therewith, shall be forever used as a common Quarry, or as common Quarries, in the manner and for the Uses and Purposes aforesaid.

After Award made, Right of Common to cease, and Allotments to be accepted.

Provided always, and be it further Enacted by the Authority aforesaid, That any Thing in this Act contained shall not extend, or be construed to extend, to alter, defeat, or prejudice any Right, Title, Interest, Privilege, Property or Claim, which the said *John Loder* now hath, or which he, his Heirs or Assigns hereafter shall or may have to, in, upon or out of the Lands, Common or Waste Grounds, or commonable Places by this Act intended to be divided and inclosed, or any Part or Parts thereof, or to, in, upon, or out of any other of the Lands or Hereditaments of and in the Parish or Manor of *Hinton*, otherwise *Hinton-Il Arris* aforesaid, as Lord or Lords of the said Manor, (his and their Rights of Common in the said Parish only excepted) or extend, or to be construed to extend, to alter, defeat or prejudice any Right, Title, Interest or Claim which the said Rector of the said Parish hath, or which he or his Successors, Rectors of the same Parish, shall, or may have, to any Surplice Fees, Oblations, or other Dues or Duties arising, due, or payable within the same Parish, his and their Rights to the said Glebe Lands, and the said great and small Tithes, and the Commons thereto respectively belonging only excepted, or extend, or be construed to extend, to revoke, annul, defeat, or alter any Will or Wills, Device or Devices, Settlement or Settlements, or other Conveyance or Conveyances of the Lands, Common or Waste Grounds and commonable Places by this Act intended to be divided and inclosed, or any Part thereof, or of the Lands which by virtue of this Act shall be exchanged, or any Part thereof, or any Estate, Right, Title, Interest or Claim which any Person or Persons hath, have, or shall have, of, to, in, or upon such Lands, Common or Waste Grounds, and commonable Places, or other Lands, by virtue of or under any Will or Wills, Device or Devices, Settlement or Settlements, or other Conveyance or Conveyances, but that all Trustees, Cestuique Trusts, and other Persons, shall have the same Estates, Rights, Titles, Interests and Claims of, to, in, and upon the several Portions of the said Lands, Common or Waste Grounds, and commonable Places, that by virtue of this Act shall be divided, assigned and appointed, and of, to, in, and upon the said Lands that by virtue of this Act shall be exchanged, as they respectively had

Not to prejudice Right of Lord of the Manor of *Hinton*, nor the Rector's Right to Surplice Fees.

Not to defeat any Will, Settlement, or other Writing.

and of, to, in, and upon the Lands and Hereditaments in reſpect of which ſuch Portions of the ſaid Lands, Common or Waſte Grounds, and commonable Places, ſhall be aſſigned or appointed, and in reſpect of which ſuch Exchanges ſhall be made.

Lands in lieu of Leaſe-hold Eſtates to be held as ſuch.

And be it further enacted by the Authority aforeſaid, That the ſeveral Portions of the Lands, Common or Waſte Grounds and Commonable Places by this Act intended to be divided and incloſed, that ſhall by virtue hereof be aſſigned or appointed to or for the reſpective Leaſe-hold Tenants of the ſaid *John Loder* and Sir *Robert Throckmorton* in lieu of their reſpective Leaſe-hold Lands and the Commons thereto reſpectively belonging, ſhall be held by them reſpectively of the ſaid *John Loder* and Sir *Robert Throckmorton*, and by all other Perſons claiming by or under the ſaid Leaſes for the ſame Eſtates, Terms of Years, and Intereſts, and at and for the ſame Yearly and other Rents and Heriots, and ſubject to and under the ſame Proviſoes, Conditions, and Agreements, as the Lands and Hereditaments, granted in and by the ſaid Leaſes reſpectively, are thereby reſpectively holden, and that the ſeveral Portions of the ſaid Lands, Common or Waſte Grounds, and Commonable Places that by virtue of this Act ſhall be aſſigned or appointed to or for the ſaid Copy-hold Tenants of the ſaid *John Loder*, in lieu of their reſpective Copy-hold Lands, and the Commons thereto reſpectively belonging, ſhall be held by ſuch Copy-hold Tenants reſpectively, and by all other Perſons claiming by or under the ſeveral Copies of Court-Roll by or under which the ſame reſpectively are holden for the ſame Eſtates and Intereſts, and at and for the ſame Yearly and other Rents and Heriots, and ſubject to and under the ſame Duties, Cuſtoms, Conditions, and Services as the ſaid Copy-hold Lands granted by the ſaid Copies of Court-Roll are thereby reſpectively holden, and that the ſaid *John Loder*, his Heirs or Aſſigns, Lord or Lords of the Manor of *Hinton*, otherwiſe *Hinton-Waldrift* aforeſaid, or his or their Steward, ſhall and are hereby required at a Court Baron to be held in and for the ſaid Manor, ſometime within the Space of Three Months next after the ſigning and ſealing of the ſaid Award by the ſaid Commiſſioners, to admit the ſaid Copy-holders reſpectively, Tenants of the ſaid ſeveral laſt-mentioned Portions of the ſaid Lands, Common or Waſte Ground and Commonable Places accordingly, and the ſame laſt mentioned Portions of the ſaid Lands, Common or Waſte Grounds and Commonable Places ſhall from and after the ſigning and ſealing of the ſaid Award by the ſaid Commiſſioners, or any Three or more of them, for ever be deemed and taken to be Copy-hold Lands and Hereditaments, and ſhall as ſuch be held of and under the ſaid Manor, and ſhall from Time to Time for ever afterwards be granted or grantable by the ſaid *John Loder*, his Heirs and Aſſigns, Lord or Lords of the ſaid Manor, by Copies of Court-Roll thereof, in the ſame manner and ſubject to the ſame Rules, Cuſtoms, Conditions and Services as other the Copy-hold Lands of the ſame Manor were before the making of this Act, holden or grantable by the Lords thereof.

And in lieu of Copy-hold Eſtates to be held as ſuch.

And

And be it further Enacted by the Authority aforesaid, That all the publick and private Roads and Ways which by virtue of this Act shall be directed to be made (other than and except Foot-ways through, over, or cross any Inclosure or Inclosures) shall be made and be for ever repaired and kept in Repair by the Owners and Occupiers of Land, and other the Inhabitants of and in the said Parish, in such manner and according to such Rules and Orders as publick Roads and Highways are by the Laws of this Realm to be made, repaired, and kept in Repair, and that all the Grass and Herbage that shall from Time to Time arise or grow in the said publick and private Roads and Ways shall belong unto and shall be had and enjoyed by the several Owners and Occupiers of the Lands lying on each Side of the same Roads and Ways so far as such their said Lands respectively shall lie and extend on the side of such Roads and Ways and not otherwise. How the Roads are to be maintained.

And be it further Enacted by the Authority aforesaid, That it shall be lawful for all or any of the Owners or Occupiers of the new Inclosures by this Act intended to be made for the Space of Seven Years next after the signing and sealing the aforesaid Award, to set up or cause to be set up any Posts, Rails, or other Fences on the Outsides of any Quicksets or live Hedge or Hedges that shall be set or planted in or about such new Inclosures for the Preservation of such Quicksets or live Hedges for the like Space of Time, to set up or cause to be set up any Gate or Gates, with Posts and Rails or Hedges on the Side or Sides thereof if necessary, over or cross any Road or Way for the preventing of Sheep and other Cattle from eating, spoiling or damaging the said Quickset or live Hedges that shall be so planted or set, provided that such Gate or Gates, Posts, Rails, or Hedges doth not nor do interrupt or hinder the free and easy Passage of Cattle, Carts, and Carriages in and through the same Roads and Ways. For setting up Gates or Fences.

Provided also, and be it further Enacted by the Authority aforesaid, That no Tree, Plant, Stock, or Setting for the raising of any Tree, shall be set or planted in any or either of the said Roads or Ways, or in any or either of the Quickset or live Hedges that by virtue of this Act shall be set or planted, or within Twenty Feet thereof.

And in order to render the dividing and inclosing of the Lands, Common or Waste Grounds and Commonable Places by this Act intended to be divided and inclosed the more easy and practicable, Be it further Enacted by the Authority aforesaid, That all Leases and Agreements for the letting or holding of any of the said Lands, Common or Waste Grounds and Commonable Places, or the Commons thereto belonging, at any Rack-Rent or Rack-Rents, shall from and after the Signing and Sealing the aforesaid Award by the said Commissioners, so far as the same Leases or Agreements relate to or affect the same Lands, Common or Waste Grounds and Commonable Places, or any Part or Parts thereof, be void, the several Lessees and Landlords of and in such Leases and Agreements making and paying to their respective Lessees or Tenants therein such Re- Leases at Rack Rent to be void.

compenſe, Compenſation and Satisfaction for the Loſſes of their reſpective Terms of Years then to come in the ſame Lands, Common or Waſte Grounds and Commonable Places reſpectively, and at ſuch Times and in ſuch manner as the ſaid Commiſſioners, or any Three or more of them, ſhall in and by their ſaid Award, or by any other Writing or Writings under their Hands for thoſe Purpoſes direct or appoint.

For diſpoſal of Trees growing on Allotments.

And be it further Enacted by the Authority aforeſaid, That any of the Owners or Occupiers of the Lands, Common or Waſte Grounds, and Commonable Places by this Act intended to be divided and incloſed, ſhall not cut down, dig or root up, injure or deſtroy, or cauſe to be cut down, dug or rooted up, injured or deſtroyed, any of the Trees, Hedges or Buſhes that are or ſhall be ſtanding or growing upon ſuch Lands, Common or Waſte Grounds, and Commonable Places, or any Part or Parts thereof, but ſhall ſuffer the ſame there to ſtand and remain for the Perſon or Perſons to or for whom ſuch parts of the ſaid Lands, Common or Waſte Grounds and Commonable Places on which ſuch Trees, Hedges or Buſhes ſhall ſtand or grow, ſhall in the ſaid Diviſion be aſſigned or appointed, and that ſuch Perſon or Perſons ſhall make and pay to the Owner or Owners of the ſaid Trees, Hedges and Buſhes ſuch Compenſation and Satisfaction for the ſame as the ſaid Commiſſioners, or any Three or more of them, ſhall in their ſaid Award, or in or by any other Writing under their Hands for thoſe Purpoſes, direct or appoint.

Directing what Courſe of Huſbandry ſhall be uſed.

And be it further Enacted by the Authority aforeſaid, That any of the Owners or Occupiers of the Lands, Common, or Waſte Grounds and Commonable Places by this Act intended to be divided and incloſed, or of any part thereof, ſhall not on this Side or before the ſame Lands, Common or Waſte Grounds, or Commonable Places ſhall be ſo divided as aforeſaid, or before the Award of the Commiſſioners to be in that reſpect made ſhall be by them ſigned and ſealed, plow, dig or break up, or cauſe to be plowed, dug or broken up, any of the ancient Meadow or Paſture, or other old Land, parcel of the ſaid Lands, Common or Waſte Grounds, or Commonable Places, and not uſed to be plowed, and ſhall not on this Side, and before the ſigning and ſealing of the ſaid Award, plow, ſow, or manage any other of the ſame Lands, Common or Waſte Ground, and Commonable Places in any other manner or courſe of Huſbandry than the ſaid Commiſſioners, or any Three or more of them, ſhall for thoſe Purpoſes direct or appoint.

Notice of Meeting of Commiſſioners to be given.

And be it further Enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any Three or more of them, ſhall cauſe Eight Days Notice to be given in the Pariſh-Church of *Hinton*, otherwiſe *Hinton-Wariſh* aforeſaid, on a *Sunday* Morning immediately after Divine Service, for the Times and Places of their reſpective Meetings to put this Act into Execution, Meetings by Adjournment only excepted.

Manner of chooſing new Commiſſioners.

And be it further Enacted by the Authority aforeſaid, That if any or either of the Commiſſioners in this Act named, or that by virtue hereof ſhall be appointed as ſuch, ſhall happen to die before the Lands, Common

or

or Waſte Grounds and Commonable Places by this Act intended to be divided, ſhall be ſo divided, or before the Award to be by the Commiſſioners in that reſpect made, ſhall be by them ſigned and ſealed, or if any or either of the Commiſſioners in this Act named, or that by virtue hereof ſhall be appointed, ſhall refuſe to act in the Execution of the Powers hereby to him or them given, then it ſhall be lawful for the ſurviving Commiſſioners, and ſuch of them as ſhall be willing to act in the Execution of the ſaid Powers, or any Three or more of them, and they are hereby authoriſed and required by Writing under their Hands to nominate and appoint any other Perſon or Perſons not being intereſted in the ſaid intended Diviſions and Incloſures, to be a Commiſſioner or Commiſſioners in the place or places of ſuch Commiſſioner or Commiſſioners ſo as aforeſaid dying or refuſing to act, and ſuch other Perſon and Perſons that ſhall be ſo nominated and appointed ſhall be, and is and are hereby inveſted with the ſame Powers and Authorities for putting this Act in Execution as the Commiſſioners herein and hereby named are inveſted with.

Proprietors Shares of Expences to be aſcertained by the Commiſſioners.

Provided always, and it is hereby further Enacted by the Authority aforeſaid, That the ſaid Commiſſioners, or any Three or more of them, ſhall and are hereby authoriſed and required to make a true and exact Computation, and in their ſaid Award to ſet down and aſcertain the Particulars and Sum Total of all the Coſts and Charges of the promoting and obtaining this Act, and of the ſurveying, admeaſuring, dividing, aſſigning, and appointing the Lands, Common or Waſte Grounds, and Commonable Places by this Act intended to be divided, and of all the Coſts and Charges of the making and preparing the aforeſaid Award, and of the Ingroſſing the ſaid two Parts thereof, and of Inrolling the ſame, and of the Commiſſioners Charges in attending the Execution of this Act, and of all other the Coſts and Charges incident thereto, and to compute and ſettle and in their ſaid Award to ſet down and aſcertain the ſeveral Sums of Money that are or ought to be paid by the ſaid *John Loder* as Rector, and by the ſaid *John Loder*, Sir *Robert Throckmorton*, and their ſaid ſeveral Leaſe-hold and Copy-hold Tenants, and every of them reſpectively, as and for their reſpective Shares and Portions of the aforeſaid Coſts and Charges according and in proportion to the ſeveral Portions of the ſaid Land, Common or Waſte Grounds, and Commonable Places that ſhall be to or for them reſpectively aſſigned or appointed, and the reſpective Values of and of their reſpective Eſtates and Intereſts of and in the ſame, and ſhall and are hereby alſo required to compute and ſettle and in their ſaid Award to ſet down and aſcertain as near as they can the ſeveral Sums of Money to be expended, or that it will coſt the ſaid Sir *Robert Throckmorton* in ſetting and making the ſeveral and reſpective Parts and Shares of the aforeſaid Quickſets, and other Hedges, Ditches, Mounds, Fences, Drains, and Water-courſes, and of fencing the aforeſaid Quarry or Quarries, and the Lands to be holden therewith that ſhall be to be ſet or made as for or in reſpect of the ſeveral and reſpective Portions of the ſaid Lands, Common, or Waſte Grounds and Commonable Places that ſhall be ſo as aforeſaid

assigned or appointed to or for the said Lease-hold Tenants of the said Sir *Robert Throckmorton*, and of each and every of them, and in repairing scouring, cleansing, keeping and preserving the same Parts and Shares of the said Hedges, Ditches, Mounds, Fences, Drains and Water-courses for the aforesaid Term of Ten Years, and of each and every of them.

And be it further Enacted by the Authority aforesaid, That the several Sums of Money that shall by the said Commissioners be set down and ascertained as to be paid by the said Rector as for his Share or Part of the Costs and Charges of prosecuting and obtaining this Act, and of the surveying, admeasuring, dividing, assigning and appointing the Lands, Common or Waste Grounds and commonable Places by this Act intended to be divided, and of making and preparing the aforesaid Award, and of ingrossing the said two Parts thereof, and of inrolling the same, and of the Costs and Charges of the Commissioners attending the Execution of this Act, and other the Costs and Charges incident thereto shall be paid by the said *John Loder*, as Rector of the said Parish, and that the several Sums of Money that shall by the Commissioners be set down and ascertained as to be paid by the said *John Loder* in his own Right and by his said Lease-hold and Copy-hold Tenants, as for their respective Shares or Parts of the said Costs and Charges, shall be paid by the said *John Loder*, his Heirs or Assigns, and that the said several Lease-hold and Copy-hold Tenants of the said *John Loder* shall pay Interest to him, his Heirs and Assigns, for the several Sums of Money, that should or ought to have been by them respectively paid as for their respective Shares or Parts of the said Costs and Charges after the rate of Four Pounds for the Hundred Pounds by the Year for and during the Continuance of the respective Estates and Interests which they respectively have in their said respective Lease-hold and Copy-hold Estates by virtue of and under their several and respective Leases and Copies of Court Roll, and that such Interest respectively shall be added to the several Rents reserved, and made payable to the said *John Loder*, his Heirs and Assigns, in and by the said respective Leases and Copies of Court Roll, and shall commence at the *Lady-day* or *Michaelmas* which shall happen next after the signing and sealing the said Award, and shall be paid and payable to him and them at the same Times, and in such Portions, and be recoverable by him and them in the same manner as the said Rents are in and by the said Leases and Copies of Court Roll respectively reserved and made payable, and are recoverable or to be recovered.

Mr. *Loder's* Tenants to pay Interest for their Shares of the Expence.

And be it further Enacted by the Authority aforesaid, That the several Sums of Money that shall by the said Commissioners be set down and ascertained, as to be paid by the said Sir *Robert Throckmorton*, and his said Tenants respectively, as for their respective Shares or Parts of the aforesaid Costs and Charges, shall be paid by the said Sir *Robert Throckmorton*, his Heirs or Assigns, and that the said several Lease-hold Tenants of the said Sir *Robert Throckmorton* shall pay Interest to him, his Heirs and Assigns,

Sir *Robert Throckmorton's* Tenants the same.

for

for the ſeveral Sums of Money that ſhall by the ſaid Commiſſioners be ſet down and aſcertained, as to be paid by them the ſaid Leaſe-hold Tenants reſpectively, as for their reſpective Shares or Parts of the ſaid Coſts and Charges, after the Rate of Four Pounds for the hundred Pounds by the Year, and Intereſt alſo after that Rate for the ſeveral Sums of Money that ſhall by the ſaid Commiſſioners be ſet down and aſcertained to be expended by the ſaid Sir *Robert Throckmorton*, his Heirs and Aſſigns, in ſetting and making the ſeveral and reſpective Parts or Shares of the Quick-ſet and other Hedges, Ditches, Mounds, Fences, Drains and Water-courſes, and of fencing the ſaid Quarry or Quarries, and the Lands to be holden therewith, to be ſet or made, as for or in reſpect of the ſeveral and reſpective Portions of the Lands by this Act intended to be divided, that ſhall be aſſigned or appointed to or for the ſaid Leaſe-hold Tenants, and every of them reſpectively, and in repairing, cleanſing, ſcowering, keeping and preſerving the ſame Parts and Shares of the ſaid Hedges, Ditches, Mounds, Fences, Drains and Water-courſes, for the Term of Ten Years as aforeſaid, and that the ſaid Intereſt ſo as aforeſaid to be paid to the ſaid Sir *Robert Throckmorton*, and his Heirs, ſhall be added to the reſpective Rents that are reſerved and made payable to him and them, in and by the reſpective Leaſes of his ſaid Leaſe-hold Tenants, and ſhall commence at the *Lady-day* or *Michaelmas*, which ſhall happen next after the ſigning and ſealing the aforeſaid Award, and ſhall be payable and paid to him and them at ſuch Times and in ſuch Portions, and be by him and them recoverable in ſuch manner as the ſaid Rents are in and by the ſaid Leaſes reſpectively reſerved and are recoverable, or to be recovered.

Saving the Rights of Lords of other Manors.

Provided always, and be it further Enacted by the Authority aforeſaid, That nothing in this Act contained ſhall prejudice, leſſen, or defeat the Right, Title, or Intereſt of any Lord or Lords of any other Manor or Manors, or reputed Manor, or Lordſhip within the Juriſdiction or Limits whereof the ſaid Common, Fields, Commons, or Waſte Grounds, or other the Premiſes hereby directed to be incloſed as aforeſaid, or any Part thereof, is or are ſituate, lying and being, or compriſed or in or to the Seigniories and Royalties incident or belonging to ſuch Manor or Manors, or reputed Manors or Lordſhips reſpectively, but that all and every ſuch Lord and Lords of ſuch Manor or Manors, or reputed Manors or Lordſhips, ſhall and may from Time to Time, and at all Times hereafter, hold and enjoy all Rents, Services, Courts, Perquiſites and Profits of Courts, Waters, Fiſheries, and all other Royalties and Privileges to ſuch Manor or Manors, or reputed Manors or Lordſhips, or to the Lord or Lords thereof, or any claiming under him or them, incident, appendant, belonging or appertaining, (other than and except ſuch Right of Common as can or may be claimed by or belonging to him or them reſpectively, as Lord or Lords of any ſuch Manor or Manors, reputed Manors or Lordſhips reſpectively, in, over, and upon the Premiſes ſo directed and appointed to be incloſed as aforeſaid) in as full, ample, and beneficial manner, to all Intents and Purpoſes as they might have held and enjoyed

joyed the ſame before the paſſing this Act, or in Caſe the ſame had never been made.

General Saving.

Saving nevertheleſs, and always reſerving to the King's Moſt Excellent Majeſty, his Heirs and Succeſſors, and to all and every other Perſon and Perſons whomſoever, Bodies Politic and Corporate, his and their Heirs, Executors, Succeſſors and Aſſigns, other than and except the ſaid Rector and other Perſons intereſted in the Lands by this Act intended to be divided and incloſed, his and their Heirs, Executors, and Adminiſtrators reſpectively, all and every the Eſtate, Right, Title, Intereſt and Claim which they, or any or either of them have, hath, or ſhould or ought to have, of, to, in, or upon the ſame Lands, or any Part or Parts thereof, their ſeveral and reſpective Rights of Common in or upon the ſame only excepted.

joyed the same before the passing this Act, or in Case the same had never been made.

Saving nevertheless, and always reserving to the King's Most Excellent Majesty, his Heirs and Successors, and to all and every other Person and Persons whomsoever, Bodies Politic and Corporate, his and their Heirs, Executors, Successors and Assigns, other than and except the said Rector and other Persons interested in the Lands by this Act intended to be divided and inclosed, his and their Heirs, Executors, and Administrators respectively, all and every the Estate, Right, Title, Interest and Claim which they, or any or either of them have, hath, or should or ought to have, of, to, in, or upon the same Lands, or any Part or Parts thereof, their several and respective Rights of Common in or upon the same only excepted.

mon or Waſte Ground, and other Commonable Places in the Pariſh of *Hinton*, otherwiſe *Hinton-Walriſe*, in the County of *Berks*.